

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.10028 OF 2000

ORAL ORDER:

The order of attachment dated 29.5.2000 issued by the 1st respondent – Mandal Revenue Officer, Pamidimukkala, under Section 8 of the Andhra Pradesh Revenue Recovery Act, 1964, attaching the lands of the petitioner situated at Mullapudi village, Ponimuli Mandal, Krishna district, for recovery of the land revenue dues is under challenge in this writ petition.

It is primarily contended that the allegation that the petitioner was in arrears of land revenue is factually incorrect and, at any rate, the impugned order of attachment without giving any opportunity to him to raise his objection is arbitrary, illegal and violative of the principles of natural justice.

In the counter-affidavit filed on behalf of the respondents, the fact that no such opportunity was given to the petitioner before issuing the impugned order of attachment has not been disputed; on the other hand, it is stated that subsequent to the impugned order notices were issued to the petitioner on 19.8.2000 and 15.5.2001 requesting to appear before the 1st respondent along with land revenue receipts.

Having regard to the facts and circumstances of the case, the impugned attachment order is hereby set aside and the writ petition is disposed of, leaving it open to the respondents to take fresh proceedings after giving opportunity to the petitioner to raise his objection. No costs.

(G. ROHINI, J.)

21st September, 2007.

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THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.10028 OF 2000

21st September, 2007.

Between:

Kadiyam Venkat Ramaiah.

.. Petitioner.

And

The Mandal Revenue Officer,
Pamidimukkala (M),
Krishna District and another.

.. Respondents.